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RULE PROPOSALS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS**

40 N.J.R. 1611(a)

Proposed Amendments: *N.J.A.C. 13:45A-17.11*

[Click here to view Interested Persons Statement](#)

Display of Registration Number on Commercial Vehicles; Display of Division of Consumer Affairs Toll-Free Number

Authorized By: Lawrence DeMarzo, Acting Director, Division of Consumer Affairs.

Authority: *N.J.S.A. 56:8-144*.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2008-72.

Submit written comments by May 16, 2008 to:

Lawrence DeMarzo, Acting Director
Office of the Director
New Jersey Division of Consumer Affairs
PO Box 45027
Newark, NJ 07101

The agency proposal follows:

Summary

The Division of Consumer Affairs (the "Division") is proposing to amend the home improvement contractor registration rules, specifically *N.J.A.C. 13:45A-17.11*, to specify the format for information required to be placed on all commercial vehicles owned or leased by the registrant and used in the registrant's business, pursuant to *N.J.S.A. 56:8-144*. In addition, the proposed amendments address the placement of and format for the Division's informational toll-free number on any invoice, contract or correspondence given to the consumer by the registrant, as required by *N.J.S.A. 56:8-144*.

The Division has determined that the comment period for this proposal shall be 60 days; therefore, pursuant to *N.J.A.C. 17:30-3.3(a)5*, this proposal is excepted from the rulemaking calendar requirement.

Social Impact

The proposed rule amendment will have a positive social impact on consumers who use the services of home improvement contractors by allowing consumers to positively identify a home improvement contractor by registration number, where the consumer has a complaint. In addition, the toll-free number will allow the consumer to check the status of a home improvement contractor's registration.

Economic Impact

The proposed rule amendment will have an economic impact on all registered home improvement contractors. Registrants will incur the costs of placement of the business name and registration number on all commercial vehicles owned or leased by a home improvement contractor for use in the business, as well as the costs for placing the proposed statement along with the Division's toll-free number on all consumer contracts, invoices and correspondence.

Federal Standards Statement

A Federal standards analysis is not required because the proposed rule amendments are subject to State statutory requirements and are not subject to any Federal requirements.

Jobs Impact

The Division does not anticipate that the proposed amendment will have an impact on the generation or loss of jobs in this State.

Agriculture Industry Impact

The proposed rule amendment will have no impact on the agriculture industry in the State.

Regulatory Flexibility Analysis

If, for purposes of the Regulatory Flexibility Act, *N.J.S.A. 52:14B-16* et seq., all registered home improvement contractors are considered "small businesses," then the following compliance requirements apply.

The proposed amendment will require all registrants to display the business name and home improvement registration number on commercial vehicles used for the business in the manner required described in the Summary above. In addition, all registrants will be required to place both the Division's toll-free number and the purpose of that number on all consumer invoices, contracts and correspondence.

In order to comply with this rule, the home improvement contractor may need the services of a printer for invoices, contracts and correspondence and a detailing service for placement of the required information on commercial vehicles. The costs of these services will vary according to the types of services used, the number of owned or leased vehicles and the number of consumer, invoices, contracts and correspondence used by the business. As with the initial cost, the annual cost of compliance will vary according to the size of the business.

The Division believes that the proposed rule amendment should be uniformly applied to all registrants to protect consumers; and, therefore, no differing compliance requirements for any registrant are provided.

Smart Growth Impact

The Division does not anticipate that the proposed rule amendment will have any impact on the achievement of smart growth or the implementation of the State Development and Redevelopment Plan, otherwise known as the State Plan.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 17. HOME IMPROVEMENT CONTRACTOR REGISTRATION

13:45A-17.11 Ownership and use of registration number; replacement and duplicate certificates

(a)-(c) (No change.)

(d) A registered home improvement contractor shall prominently display:

1. (No change.)

2. The contractor's registration number on all advertisements distributed within this State, on business documents, contracts and correspondence with consumers of home improvement services in this State[, and on all commercial vehicles registered in this State and leased or owned by a registrant and used by the registrant for the purpose of providing home improvements, except for vehicles leased or rented by a registrant to a customer of that registrant].

(e) All commercial vehicles registered in this State and leased or owned by a registrant and used by the registrant for the purpose of providing home improvements, except for vehicles leased or owned by a registrant to a customer of that registrant, shall be marked on both sides with the following information:

1. The name of the registered home improvement contractor in lettering at least one inch in height; and

2. "HIC reg. #" followed by the registration number of the registrant in lettering at one inch in height.

[(e)] (f) [Any] **As of (Three months from the effective date of this rule), any invoice, contract or correspondence given by a registrant to a consumer shall prominently contain the toll-free telephone number provided by the Division pursuant to (b) of *N.J.S.A. 56:8-149*[b.] and shall be displayed in all caps in at least 10-point bold-face type as follows: FOR INFORMATION ABOUT CONTRACTORS AND THE CONTRACTORS' REGISTRATION ACT, CONTACT THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CONSUMER AFFAIRS AT 1-888-656-6225.**